

REMARKS/ARGUMENTS

Status of the claims

Claims 1-20 are currently pending. Claims 12, 15, and 16 are amended. Claims 17-20 were previously withdrawn in response to a restriction requirement. No new matter is added. Entry of the amendment and reconsideration is requested.

Allowable Subject Matter

Applicants thank the Examiner for the indication that claims 13 and 14 are allowable.

Claim Objections

Claim 12 is amended to replace the word “decrease” with “decreases”, as requested by the Examiner. Withdrawal of the objection is respectfully requested.

The rejections under 35 USC § 112, first paragraph

Claims 15 and 16 are rejected for allegedly failing to comply with the written description requirement. Specifically, the Examiner asserts that while the specification teaches that the presence of both SEQ ID NO:52 and SEQ ID NO:53 are necessary for binding, the specification does not teach that these regions are sufficient for binding to S-adenosyl-L-methionine or sufficient to exhibit the required methyl transferase activity. Further, the Examiner is of the view that the specification does not disclose which amino acids may be changed and still preserve the methyl transferase activity or any of the other biological activities of ZNF3A1. The rejection is respectfully traversed for the following reasons.

As an initial matter, claims 15 and 16 are amended to delete reference to a polypeptide “fragment comprising a portion of SEQ ID NO: 51” and now recite “or a polypeptide that comprises an amino acid sequence having at least about 95% identity to SEQ ID NO: 51 in which both of NHSCDPN (SEQ ID NO:52) and GEELTICY (SEQ ID NO:53) are conserved”. Support for this amendment is found, for example, at [0052] of the Substitute Specification.

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Amdt. dated February 7, 2012
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 1643

PATENT

Applicants believe that claims 15 and 16, as amended, are supported by the written description. Withdrawal of the rejection is respectfully requested.

Double Patenting

Claims 1, 4, 6-8, 12, 15 and 16 are rejected on the ground of nonstatutory obviousness-type double patenting as allegedly obvious over claims 1-3 of U.S. Patent No. 7,968,281. While not acquiescing on the merits, a terminal disclaimer is filed herewith. Withdrawal of the rejection is respectfully requested.

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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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